

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

JEANETTE MELLERSON

• •

Plaintiff

:

V.

• •

CIVIL NO. L-01-2090

(Magistrate Judge Grimm)

JOANNE B. BARNHART,

Commissioner, Social Security Admin.

• •

Defendant

:

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**DEFENDANT’S MOTION FOR ENLARGEMENT OF TIME TO
OPPOSE PETITION FOR ATTORNEYS’ FEES AND COSTS**

Defendant, Joanne B. Barnhart, Commissioner, Social Security Administration, by and through undersigned counsel, hereby respectfully moves for an enlargement of time of five (5) days to file an opposition to plaintiff's petition for attorneys' fees and costs in the above-captioned case.

The reasons for the motion are as follows:

1. The parties previously submitted a proposed scheduling order requiring defendant to file an opposition to plaintiff's petition for attorneys' fees and costs on or before December 17, 2003;
2. Due to unforeseen constraints on the undersigned's schedule, additional time in the amount of five (5) days is required to complete the government's opposition;
3. On December 16, 2003, the undersigned contacted plaintiff's counsel, Amy Beth Leasure, and was advised that plaintiff consents to the extension of the filing date on the condition that plaintiff's time to reply is extended to January 23, 2004.¹

¹Several counsel for plaintiff are out of town or have other commitments that make the original reply period impracticable in light of a December 22, 2003 filing date for the opposition.

WHEREFORE it is requested that the deadline for the filing of defendant's opposition to plaintiff's petition for attorneys' fees and costs be extended until December 22, 2003, and that the deadline for plaintiff's reply brief be extended until January 23, 2003.

Respectfully submitted,

Thomas M. DiBiagio
United States Attorney

By: _____
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ORDER

_____The Court, having considered the Defendant's Motion for an Enlargement of Time, and there being good cause therefore, it is this __ day of _____, 2003, hereby

ORDERED that the deadline for the filing of defendant's opposition to plaintiff's petition for attorneys' fees and costs is December 22, 2003, and the deadline for plaintiff's reply is January 23, 2004.

Paul W. Grimm
United States Magistrate Judge